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California Regional Water Quality Control Board

Central Coast Region



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NOTIFICATION TO TRADITIONAL, SMALL MS4 DISCHARGERS REGARDING OPTION TO PURSUE JOINT EFFORT FOR DEVELOPING HYDROMODIFICATION CRITERIA IN COMPLIANCE WITH THE MUNICIPAL STORMWATER PERMIT

This letter is to inform you that the Water Board will provide Phase II municipal stormwater dischargers with the option of pursuing a joint effort to develop hydromodification criteria as an alternative to the current Phase II Municipal Permit requirement for developing interim criteria. Water Board staff is now developing the components of this joint effort option and will solicit your input for finalizing the option. This letter provides some background and outlines the process by which the Water Board will enact these changes for those dischargers choosing to pursue a joint approach.

Background

In response to municipal stormwater discharger interest in pursuing joint efforts to develop hydromodification criteria, Water Board staff finds that a joint effort could provide numerous environmental and other benefits by: developing scientifically valid criteria guided by subject area experts; improving regional consistency in hydromodification control implementation; leveraging limited municipal resources; and fostering community buy-in essential for long-lasting changes in stormwater management. Staff finds this approach to be a logical extension of our growing knowledge and evolving requirements for hydromodification control, based on our involvement with various stakeholders, including dischargers, environmental organizations, the development community, and the Central Coast Low Impact Development (CCLID) Center. Water Board staff also acknowledges that requirements for dischargers to develop hydromodification control criteria over a two-year period, *combined with concurrent Low Impact Development (LID) implementation*, has the potential to be more protective of watershed health than the current requirements for development of interim hydromodification control criteria over a one-year period.

In general terms, the joint effort will include the following provisions:

- The discharger can elect to participate in the joint effort to produce long-term criteria over a two-year period; Interim Criteria not required if discharger pursues this option
- "Joint effort" must be defined. Water Board staff suggests the definition include an effort joined by sufficient numbers of dischargers to achieve economies of scale for those involved, and regional in scale, preferably encompassing whole watersheds

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- The two-year schedule for the effort commences by a date certain, replacing the current interim criteria completion schedules tied to SWMP adoption dates
- The discharger must commit to Best Management Practices/Measurable Goals, to be completed during the two-year period, which advance implementation of LID¹ and application of hydromodification criteria, once criteria are available
- The discharger must commit to reporting on participation in the joint effort (including specific evidence of involvement, e.g., scopes of work and possible consultant contracts) and completion of interim Best Management Practices/Measurable Goals

Jointly developed hydromodification criteria must include numeric criteria that achieve the goals of desired conditions of healthy watersheds, including: rainfall surface runoff at pre-development levels, or in dynamic equilibrium with the landscape and receiving water; groundwater storage of runoff, through infiltration and recharge at pre-development levels; watercourse geomorphic regimes within natural ranges (stream banks are stable within natural range; sediment supply and transport within natural ranges); and optimal riparian and aquatic habitats.

Process for Joint Effort for Developing Hydromodification Criteria

Commencing with this letter, the process for developing hydromodification criteria through a joint effort will include several preliminary steps followed by a two-year period during which dischargers will complete and report on specific project milestones (Table 1).

Table 1: Process and Schedule for Joint Effort

Water Board Notification Letter		Early August, 2009
Stakeholder Process to Develop Project Milestones		Early August to Mid September, 2009
Water Board Offer to Participate (Letter including Project Milestones)		Late September, 2009
Presentation to Water Board		October 23, 2009
Commence 2-yr Collaborative Effort	YEAR 1	November 2009
Milestone Reporting → (e.g., evidence of participation; workplan for BMP implementation)		
Milestone Reporting → (e.g., report on BMP implementation/MG attainment)	YEAR 2	
Water Board Reviews Hydromodification Criteria →		
Apply Hydromodification Criteria		November 2011

¹ These will be developed by Water Board staff with input from MS4 dischargers, and other stakeholders, and specified in a final letter presenting the joint effort option and requirements.



Financial Assistance for a Joint Effort

We are pleased to report that the State Water Resources Control Board approved a \$600,000 funding allocation to the Central Coast Water Board to work on hydromodification criteria for the region. Water Board staff will use these funds to support a joint effort as described in this letter.

Stakeholder Process to Develop Project Milestones

The Water Board will seek input from you and other stakeholders to develop appropriate project milestones over the next several weeks. Milestones will serve to ensure that the effort remains on track and provides benefits prior to its conclusion. For example, milestones will be needed to ensure that dischargers are making continual progress over the two-year period in preparing for eventual implementation of hydromodification control criteria. Examples of Best Management Practices and Measurable Goals that could serve as milestones include: development of new procedures for project review to integrate pending hydromodification control requirements; drafting of necessary code amendments (e.g., plumbing, building, zoning, flood management); accelerated training for engineers, plan checkers, and code enforcement staff; and evaluation of zoning and parcel sizes to establish applicability criteria.

Water Board staff will also seek input from dischargers to identify milestones to ensure that dischargers participating in the joint effort are concurrently incorporating and optimizing implementation of applicable LID features. These milestones could include reporting on procedural changes; evidence of new conditions in project approval documents; and types, numbers, and effectiveness of projects where LID features are implemented consistent with new project approval procedures or documents.

These and other potential project milestones will be the subject of a structured dialogue among Water Board staff and stakeholders. Water Board staff will contact you soon to solicit your input in developing project milestones.

If you have any questions regarding this letter, please contact **Dominic Roques**, at droques@waterboards.ca.gov or at (805) 542-4780.

Sincerely,



Roger W. Briggs
Executive Officer

Cc:
Interested Parties List

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